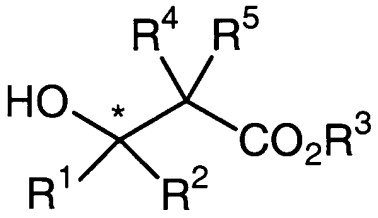
In the Claims

Please substitute the following claim 1 for claim 1 now pending in the above-identified application.

Please cancel claims 4 and 6 without prejudice to the filing of future continuing applications.

1. (Currently Amended) A method for producing an optically active β-hydroxy ester compound represented by the general formula:

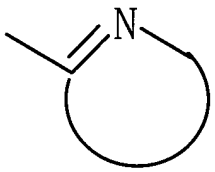


(III)

wherein

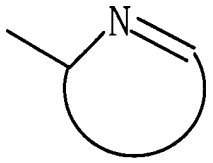
R^1 represents ~~a hydrogen atom,~~ an optionally substituted **aromatic** hydrocarbon ~~group, or an optionally substituted heterocyclic~~ group,

R^2 represents a **5- or 6-membered** nitrogen-containing heterocyclic group ~~different from R^1,~~ which is represented by the general formula:



(V)

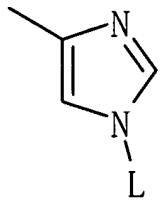
wherein the ring may be substituted, and may have one or more heteroatoms **selected from the group consisting of an oxygen atom, a sulfur atom and a nitrogen atom** in addition to the nitrogen atom in the formula, and may have one or more double bonds in addition to the double bond in the formula; or the general formula:



(VI)

wherein the ring may be substituted, and may have one or more heteroatoms **selected from the group consisting of an oxygen atom, a sulfur atom and a nitrogen atom** in addition to the

nitrogen atom in the formula, and may have one or more double bonds in addition to the double bond in the formula, provided that ~~a case is eliminated where R^1 is an optionally substituted aromatic group and~~ R^2 is **not** a group represented by the general formula:



(IV)

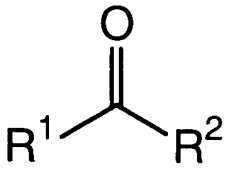
wherein L represents a protecting group,

R^3 represents an optionally substituted hydrocarbon ~~group or an optionally substituted heterocyclic~~ group,

R^4 and R^5 are the same or different, and represent a hydrogen atom, ~~a halogen atom, an optionally substituted silyl group,~~ **or** an optionally substituted hydrocarbon ~~group or an optionally substituted heterocyclic~~ group, and ~~(1) R^3 and R^4, (2) R^3 and R^5, or (3)~~ R^4 and R^5 may be taken together to form a ring, wherein said ring may be substituted,

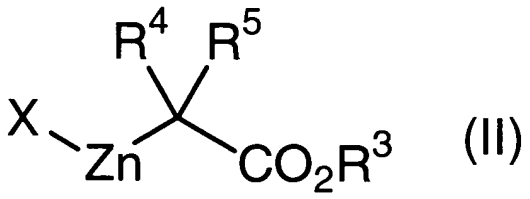
the symbol "*" represents an optically active center,

or a salt thereof, which comprises reacting, in the presence of a cinchona alkaloid **selected from the group consisting of cinchonine, cinchonidine, quinine and quinidine** or a salt thereof, a compound represented by the general formula:



(I)

wherein R^1 and R^2 are as defined above or a salt thereof with a compound represented by the general formula:



(II)

wherein R^3, R^4 and R^5 are as defined above, and X is a halogen atom, or a polymer thereof or a salt thereof.

2. (Original) The method according to claim 1, which further comprises adding a base.

3. (Original) The method according to claim 2, wherein the base is pyridine.

4. (Cancelled)

5. (Original) The method according to claim 1, wherein R^2 is an optionally substituted 2-pyridyl group or 4-imidazolyl group.

6. (Cancelled)